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**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Falcon Cable Systems Company II LP	)	File No. EB-11-SF-0118
Community Unit ID: CA0101	)	
Gilroy, CA	)	NOV No. V201132960017
	)	

**NOTICE OF VIOLATION**

**Released: September 29, 2011**

By the District Director, San Francisco Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,<sup>1</sup> to Falcon Cable Systems Company II LP ("Falcon") operator of a cable system in Gilroy, California.

2. On July 19, 2011, an agent of the Enforcement Bureau's San Francisco Office inspected Falcon's cable system located in Gilroy, California and observed the following violation:

47 C.F.R. § 76.605(a)(12): "As an exception to the general provision requiring measurements to be made at subscriber terminals, and without regard to the type of signals carried by the cable television system, signal leakage from a cable television system shall be measured in accordance with the procedures outlined in 76.609(h) and shall be limited as follows: Over 54 MHz up to and including 216 MHz - 20 micro-volts per meter, measured at 3 meters." At the time of the inspection, the agent measured signal leakage in excess of 20 µV/m on the frequency of 133.2625 MHz at:

1) 7290 Alexander St.	165 µV/m
2) 315 Old Gilroy St.	110 µV/m

3. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Falcon must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of Falcon. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

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<sup>1</sup> 47 C.F.R. § 1.89.

<sup>2</sup> 47 U.S.C. § 403.

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Federal Communications Commission  
San Francisco Office  
5653 Stoneridge Drive, Suite 105  
Pleasanton, CA 94588-8543

4. This Notice shall be sent to Falcon at its address of record.

5. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

Thomas N. Van Stavern  
District Director  
San Francisco District Office  
Western Region  
Enforcement Bureau

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<sup>3</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*